

HOUSE OF REPRESENTATIVES—Monday, April 22, 1996

The House met at 2 p.m. and was called to order by the Speaker pro tempore [Mr. FUNDERBURK].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 22, 1996.

I hereby designate the Honorable DAVID FUNDERBURK to act as Speaker pro tempore on this day.

NEWTON GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

In this moment of quiet and reverence remind us, O God, that we can hear Your word in the hushed moments of life, when the detractions of every day are put aside and we allow our senses to listen and to hear Your words of faith and hope and love. Open our senses so we are alert to Your leading and unlock any perception we have that hinders us from Your blessings. Be with us this day and every day, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Louisiana [Mr. LIVINGSTON] come forward and lead the House in the Pledge of Allegiance.

Mr. LIVINGSTON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 19, 1996.

Hon. NEWTON GINGRICH,
The Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Friday, April 19, 1996 at 12:40 p.m.: That the Senate passed without amendment H.R. 3034.

With warm regards,

ROBIN H. CARLE,
Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Friday, April 19, 1996: H.R. 3034, to amend the Indian Self-Determination and Education Assistance Act to extend for 2 months the authority for promulgating regulations under the act.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 3019, BALANCED BUDGET DOWN PAYMENT ACT, II

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, Monday, April 22, 1996, to file a conference report on the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON ECONOMIC AND EDUCATIONAL OPPORTUNITIES AND COMMITTEE ON INTERNATIONAL RELATIONS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Economic and Educational Opportunities and the Committee on International Relations:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 22, 1996.

Hon. NEWTON GINGRICH,
Speaker, the Capitol,
Washington, DC.

DEAR MR. SPEAKER: I hereby resign my position as a member of the Economic and Edu-

cational Opportunities Committee and the International Relations Committee effective upon ratification by the full House of my membership on the House Commerce Committee.

I wish to thank Chairman Gilman, Ranking Member Hamilton, Chairman Goodling, Ranking Member Clay and all the members of these committees for the many courtesies extended to me during my service on these two panels.

While I am honored to serve as the newest member of the Commerce Committee, I look forward to also returning to my assignment on the International Relations Committee where I have been a member for more than seven years.

Thank you for your assistance with this matter.

Sincerely,

ELIOT L. ENGEL,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Small Business:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 22, 1996.

Hon. NEWTON GINGRICH,
Speaker, House of Representatives, Capitol Building, Washington, DC.

DEAR MR. SPEAKER: This letter serves as my formal resignation from the House Committee on Small Business. This resignation is effective as of the date of this letter.

Sincerely,

BENNIE G. THOMPSON,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FAZIO of California. Mr. Speaker, I offer a privileged resolution (H. Res. 408) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

HOUSE RESOLUTION 408

Resolved, That the following named Members be, and, that they are hereby, elected to the following standing committees of the House of Representatives:

To the Committee on the Budget, Sander Levin of Michigan; Bennie Thompson of Mississippi; to the Committee on Commerce, Eliot Engel of New York; to the Committee on Small Business, Jesse Jackson, Jr. of Illinois; Juanita Millender-McDonald of California; to the Committee on Transportation and

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Infrastructure, Juanita Millender-McDonald of California.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE LEGACY OF THEODORE ROOSEVELT ON EARTH DAY

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I am proud to have with me a group of outstanding high school students from southwest Florida. They are participating in a unique congressional classroom program designed to examine the role of Government. Today—Earth Day—we are heading to Roosevelt Island, a living monument to a President who defined the proper role of Government in conservation. In 1907, Teddy Roosevelt said:

To waste, to destroy our natural resources, to skin and exhaust the land instead of using it so as to increase its usefulness, will result in undermining in the days of our children the very prosperity which we ought by right to hand down to them amplified and developed.

These stirring words ring just as true today. I hope all Americans will join in honoring the legacy of Teddy Roosevelt, reflecting upon the importance of careful stewardship of our planet.

Mr. Speaker, this is not a partisan matter, this is not a matter of extremism. This is a matter of good sense and good will that all Americans will share in.

PRESIDENT CLINTON IS APPOINTING JUDGES WHO AGREE WITH HIS VIEW OF SOCIAL AND JUDICIAL LIBERALISM

(Mr. BAKER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAKER of California. Mr. Speaker, the philosophy of the 1960's was to "do your own thing" and to ignore the consequences. This philosophy has crept into almost every institution in American life, including the law. Instead of dispensing justice, jurisprudence today seems more like a competition to see which judge or lawyer can come up with the most unusual or creative way to let criminals off the hook.

Perhaps the clearest evidence of this is Bill Clinton's appointments to the Federal bench. District Judge Harold Baer, Circuit Judge Rosemary Barkett, and District Judge Leonie Brinkema—just to name a few. All of these judges, Mr. Speaker, have devised new and interesting ways to excuse blatant criminal behavior, including armed robbery, drug dealing, and murder.

Bill Clinton's record is clear. As a product of the touchy-feely 1960's, he is willing to excuse criminal activity and is now appointing judges who agree with his view of social judicial liberalism.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Member will be recognized for 5 minutes.

A POSITIVE SIGN FOR JUSTICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. GOSS] is recognized for 5 minutes.

Mr. GOSS. Mr. Speaker, at the end of last week we learned of a breakthrough in a long stalemate between approximately 8,000 American hemophiliacs infected with HIV and the manufacturers of blood-clotting products that led to the hemophiliacs' infection. News reports indicate a settlement offer of \$600 million if certain conditions are met. This is certainly a welcome development after years of fingerpointing and frustrated court proceedings. As I have said many times, it is time the victims of this tragedy in the United States achieved some closure in this case. It is my strong hope that this settlement proposal will lead to a concrete result for the victims and their families. These folks have suffered since the early 1980's with the knowledge that a product they relied on to improve their quality of life actually carried the virus that causes deadly AIDS. For many years, people in the hemophilia community have charged that more could have been done to make those products safe. While recognizing that hindsight is always crystal clear, many experts have concluded that efforts to develop and market safer products sooner were not given a high priority in the face of powerful incentives to preserve the status quo.

Mr. Speaker, as Members know, I have sponsored legislation to provide compassionate assistance to these victims from the Government. It is my conclusion—and one reached by a distinguished panel of objective experts from the Institute of Medicine [IOM] at the National Academy of Sciences—that Government shares responsibility for this tragedy. The IOM panel outlined the failure of the regulatory system to recognize and respond to the early warning signs of blood-borne AIDS. According to the IOM report, the system "Did not deal well with contemporaneous blood safety issues such as hepatitis and was not prepared to deal with the far greater challenge of AIDS." Citing the extent to which Government officials lacked independent analysis of scientific information or a

strong interest in encouraging development of techniques to make blood products safer, the IOM report found "a failure of leadership and inadequate institutional decision-making processes," which led Federal officials to "consistently [choose] the least aggressive option that was justifiable." The IOM found that the Government "did not adequately use its regulatory authority and therefore missed opportunities to protect the public health." As part of its concluding recommendations for changes in the system to prevent this type of crisis from recurring, the IOM panel suggested a compensation program involving the government—one similar to that which exists for vaccines. Well, Mr. Speaker, that is what I and 224 of my bipartisan colleagues in this House—and Senator DEWINE and four of his colleagues in the other body—have sought to do with the Ricky Ray Hemophilia Relief Fund Act. This legislation is based on the premise that Government has a unique responsibility for regulating the safety of blood products and that Government failed to live up to that responsibility during the 1980s. We have not changed our view on that point, even in light of last week's welcome news about a potential settlement between the product manufacturers and the victims. It was never our intention to substitute public money for private settlement—but rather to stand up to a share of the obligation we believe rests with the Government. As Members know, in Japan recently a settlement was announced that involves both the industry and the Government. The Japanese proposal offers a significantly larger financial settlement than is being discussed in this country, with the Government shouldering 44 percent of the burden. In addition, apologies were extended to the victims and their families and the responsibility of the Japanese Government and the blood products companies was clearly acknowledged. While I commend the blood products companies for their offer to the American victims, I still think it is important that all parties involved stand up to their obligations and that means we must explore Government sharing in the compensation. Only in that way will real justice be reached in the United States.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GOSS) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes each day, on April 23, 24, and 25.

Mr. PORTER, for 5 minutes, on April 24.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GOSS) and to include extraneous matter:)

Mr. WAXMAN.

Mr. CARDIN.

(The following Member (at the request of Mr. GOSS) and to include extraneous matter:)

Mr. LOBIONDO.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3034. An act to amend the Indian Self-Determination and Education Assistance Act to extend for two months the authority for promulgating regulations under the act.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following titles:

On April 19, 1996:

H.R. 255. An act to designate the Federal Justice Building in Miami, Florida, as the "James Lawrence King Federal Justice Building";

H.R. 869. An act to designate the Federal building and United States courthouse located at 125 Market Street in Youngstown, Ohio, as the "Thomas D. Lambros Federal Building and United States Courthouse";

H.R. 1804. An act to designate the United States Post Office-Courthouse located at South 6th and Rogers Avenue, Fort Smith, Arkansas, as the "Judge Isaac C. Parker Federal Building";

H.R. 2415. An act to designate the United States Customs Administrative Building at the Yuleta/Zaragosa Port of Entry located at 797 South Zaragosa Road in El Paso, Texas, as the "Timothy C. McCaghen Customs Administrative Building"; and

H.R. 2556. An act to designate the Federal building located at 345 Middlefield Road in Menlo Park, California, and known as the Earth Sciences and Library Building, as the "Vincent E. McKelvey Federal Building."

On April 22, 1996:

H.R. 3034. An act to designate the Indian Self-Determination and Education Assistance Act to extend for two months the authority for promulgating regulations under the act.

ADJOURNMENT

Mr. GOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 23, 1996, at 12:30 p.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2434. A letter from the Director, Defense Security Assistance Agency, transmitting a report of enhancement or upgrade of sensitivity of technology or capability for Saudi Arabia (Transmittal No. D-96), pursuant to 22 U.S.C. 2776(b)(5)(A); to the Committee on International Relations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1772. A bill to authorize the Secretary of the Interior to acquire certain interests in the Waihee Marsh for inclusion in the Oahu National Wildlife Refuge Complex; with an amendment (Rept. 104-528). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1836. A bill to authorize the Secretary of the Interior to acquire property in the town of East Hampton, Suffolk County, NY, for inclusion in the Amagansett National Wildlife Refuge (Rept. 104-529). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X an clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATEMAN (for himself and Mr. TAYLOR of Mississippi) (both by request):

H.R. 3281. A bill to authorize appropriations for fiscal year 1997 for certain maritime programs of the Department of Transportation, and for other purposes; to the committee on National Security.

H.R. 3282. A bill to authorize expenditures for fiscal year 1997 for the operation and maintenance of the Panama Canal, and for other purposes; to the Committee on National Security, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN (for himself, Mrs. MORELLA, and Mr. DAVIS):

H.R. 3283. A bill to require the Administrator of the Environmental Protection Agency to issue a regulation that consolidates all environmental laws administered by the Agency and health and safety laws applicable to the construction, maintenance, and operation of aboveground storage tanks, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HYDE:

H.J. Res. 173. Joint resolution proposing an amendment to the Constitution of the United States to protect the rights of victims of crime; to the Committee on the Judiciary.

H.J. Res. 174. Joint resolution proposing an amendment to the Constitution of the United States to protect the rights of victims of crime; to the Committee on the Judiciary.

By Mr. FAZIO of California:

H. Res. 408. Resolution designating minority membership on certain standing committees of the House; considered and agreed to.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. LONGLEY introduced a bill (H.R. 3284) for the relief of Nancy B. Wilson; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 324: Mr. MEEHAN.

H.R. 447: Ms. DELAUNO.

H.R. 835: Mr. WATT of North Carolina, Ms. ROYBAL-ALLARD, Mr. THOMPSON, and Mrs. COLLINS of Illinois.

H.R. 1023: Mr. HASTERT, Mr. SCHAEFER, and Mr. MONTGOMERY.

H.R. 2745: Mr. PAYNE of Virginia and Mr. CLEMENT.

H.R. 2749: Mr. NEY and Mr. BLILEY.

H.R. 2996: Mr. TORKILDSEN.

H.R. 3002: Mr. LATHAM.

H.R. 3107: Mr. WARD, Mr. LEWIS of Georgia, Mr. FRELINGHUYSEN, Ms. FURSE, Mr. MCCREY, Mr. REED, Mr. LAHOOD, Mr. CAMPBELL, Ms. SLAUGHTER, Mr. BENTSEN, and Mrs. ROUKEMA.

H.R. 3139: Mr. SCHUMER, Mr. TOWNS, Ms. MOLINARI, Mrs. MALONEY, Mr. RANGEL, Mr. ENGEL, Mr. McNULTY, and Mr. HINCHEY.

H.R. 3213: Mr. WALSH.

H.R. 3246: Mr. TORRES, Mr. STARK, Mr. FRANKS of New Jersey, and Mr. RANGEL.

H.R. 3265: Mr. MCHALE, Ms. ROS-LEHTINEN, Mr. METCALF, and Mr. HINCHEY.